IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

REVIEW PETITION (L)NO.9 OF 2006
IN
NOTICE OF MOTION NO.560 OF 2006
IN
SUIT NO.497 OF 2006

Rekhadevi V.Mohatta ..Petitioner

Vs.

Shobhadevi A.Mohatta & Ors. ..Respondents

Mr.Desai i/b Thakordas and Madgaonkar for the petitoner/ defendant no.3

Mr.D.V.Merchant a/w Mr.D.G.Rangras for the defendant no.1 and 2/ respondent no.2 and 3

Mr.K.B.Purohit i/b Purohit and Purohit for the plaintiff and respondent no.1

Ms.Alpana Ghone i/b s.Pathak for defendant

Mr.S.R.A.Shaikh for defendant nos.9

CORAM : S.U.KAMDAR, J
DATED : 27TH MARCH, 2006

P.C.:

1. Mentioned. Not on board.

2. Heard the parties. The learned counsel for the petitioners undertake to get the said review petition numbered within one week from today.

3. In so far as para 2 of the said order dt.2.3.06 is concerned, the words ’defendant nos.7 and 9’ be substituted by the words ’defendant nos.7 and 8’.

4. As far as title of the order is concerned, Notice of Motion No. 653 of 2006 be added because the common order was passed in both the notice of motions.

5.. The matter was referred to Arbitration on the application of the Review Petitioner herself. Now the application is made that seeking that they do not want to go to the Arbitration of S.N.Variava, (Retired Judge of Supreme Court) and want to add the name of one more Arbitrator. I do not find any reason why two Arbitrators should be appointed. In any case order is by consent and therefore the question of changing the name of Arbitrator does not arise. Petition therefore fails and dismissed accordingly.